

## 2011 DRAFTING REQUEST

### Bill

Received: 02/01/2012

Received By: chanaman

Wanted: As time permits

Companion to LRB:

For: Peter Barca (608) 266-5504

By/Representing: Matt Egerer

May Contact:

Drafter: chanaman

Subject: Employ Pub - collective bargain

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Barca@legis.wisconsin.gov

Carbon copy (CC:) to:

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### Pre Topic:

No specific pre topic given

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### Topic:

All municipal employers to extend a collective bargaining agreement without triggering changes under Acts 10 and 32

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### Instructions:

See attached

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### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 02/01/2012	kfollett 02/07/2012					Local
/1			jfrantze 02/07/2012		ggodwin 02/07/2012	mbarman 02/28/2012	

FE Sent For:

at ltr  
3/1/12

<END>

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/?	chanaman	1/15/12 2/7	2/7	2/7 2/7			

FE Sent For:

<END>



WED (cmh)  
State of Wisconsin  
2011 - 2012 LEGISLATURE



-3993/1

LRB-2798/2

CMH&PAC:kjff

SOON 2/1

+ wlj

## 2011 ASSEMBLY BILL 319

October 12, 2011 - Introduced by Representatives WYNN, KNILANS, MARKLEIN and LEMAHIEU, cosponsored by Senators DARLING and GROTHMAN. Referred to Committee on Homeland Security and State Affairs.

- Regen
- bargaining extensions of collective bargaining agreements covering
- 1 AN ACT relating to: ~~reductions in cost of compensation or fringe benefits to~~
- 2 municipal employers without modifying an existing collective bargaining
- 3 agreement for purposes of 2011 Wisconsin Act 10 or 2011 Wisconsin Act 32

### Analysis by the Legislative Reference Bureau

Under current law, a school district or a technical college district and the representative of a collective bargaining unit containing employees of that district may enter into one memorandum of understanding to reduce the cost of compensation or fringe benefits in the collective bargaining agreement that covers the employees if the collective bargaining agreement was in effect on July 1, 2011. The reduction is not a modification of the collective bargaining agreement for purposes of 2011 Wisconsin Act 10, which applies to the employees when the collective bargaining agreement is modified. The memorandum has to be entered into within 90 days after July 1, 2011.

This bill allows any municipal employer to enter into one memorandum of understanding to reduce the cost of compensation or fringe benefits, and the reduction is not a modification for purposes of 2011 Wisconsin Act 10. The memorandum has to be entered into within 90 days after the effective date of this bill.

For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

INS  
A

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

## ASSEMBLY BILL 319

## SECTION 1

## SECTION 1. Nonstatutory provisions.

(1) Notwithstanding 2011 Wisconsin Act 32, section 9132 (1d) (a) a municipal employer, as defined in section 111.70 (1) (j) of the statutes, and the representative of a collective bargaining unit containing employees of that municipal employer may enter into one memorandum of understanding that reduces the cost of compensation or fringe benefits in the collective bargaining agreement under subchapter IV of chapter 111 of the statutes that covers the employees, that was entered into before February 11, 2011, and that is in effect on the effective date of this subsection. Such a modification is not a modification of the collective bargaining agreement for purposes of 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), or any provisions that are substantially similar to 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), that may be enacted under separate legislation. The memorandum of understanding entered into under this subsection remains effective for the duration of the current collective bargaining agreement and continues to be effective after the collective bargaining agreement expires until a new collective bargaining agreement takes effect except that, if the memorandum contains a provision addressing a subject that, at the expiration of the collective bargaining agreement, becomes a prohibited subject of bargaining, that provision is no longer effective. No memorandum of understanding as described in this subsection may be entered into later than 90 days after the effective date of this subsection.

(END)

section (4)  
111.70 (cm)8m.  
of  
the  
statutesIN S  
2-20



State of Wisconsin  
2011 – 2012 LEGISLATURE



LRBa1900/1  
CMH:wlj:rs

ASSEMBLY AMENDMENT 4,  
TO 2011 ASSEMBLY BILL 319

November 1, 2011 – Offered by Representatives DANOU, JORGENSEN, MASON, BEWLEY  
and ZAMARRIPA.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 4: after “employer may” insert “do any of the following:”.

3 **2.** Page 2, line 5: delete “enter” and substitute:

4 “(a) Enter”.

5 **3.** Page 2, line 8: on lines 8, 13, 19 and 20, delete “subsection” and substitute  
6 “paragraph”.

7 **4.** Page 2, line 20: after that line insert:

8 “(b) Notwithstanding section 111.70 (4) (cm) 8m. of the statutes, extend a  
9 collective bargaining agreement under subchapter IV of chapter 111 of the statutes  
10 that covers the employees and that is in effect on the effective date of this paragraph. ✓ subsection

11 Such an extension is not an extension of the collective bargaining agreement for  
12 purposes of 2011 Wisconsin Act 10, sections 9315 (1) and (2) and 9332 (1), or any

INS  
2-20

INS SPARKLE

keep comma

1 provisions that are substantially similar to 2011 Wisconsin Act 10, sections 9315 (1)  
2 and (2) and 9332 (1), that may be enacted under separate legislation.

3 (END)

IN'S  
GLITTER

INS  
SPARKLE**ASSEMBLY BILL 319**

1 effective date of this subsection. Such a modification is not a modification of the  
2 collective bargaining agreement for purposes of 2011 Wisconsin Act 10, sections 9315  
3 (1) and (2) and 9332 (1) or 2011 Wisconsin Act 32, section 9332 (1c), (1q), and (2r), or  
4 any provisions that are substantially similar to 2011 Wisconsin Act 10, sections 9315  
5 (1) and (2) and 9332 (1) or 2011 Wisconsin Act 32, section 9332 (1c), (1q), and (2r), that  
6 may be enacted under separate legislation. The memorandum of understanding  
7 entered into under this subsection remains effective for the duration of the current  
8 collective bargaining agreement and continues to be effective after the collective  
9 bargaining agreement expires until a new collective bargaining agreement takes  
10 effect except that, if the memorandum contains a provision addressing a subject that,  
11 at the expiration of the collective bargaining agreement, becomes a prohibited  
12 subject of bargaining, that provision is no longer effective. No memorandum of  
13 understanding as described in this subsection may be entered into later than 90 days  
14 after the effective date of this subsection.

(END)

INS  
GLITTER

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3993/1ins  
CMH:.....

Insert A

Under the Municipal Employment Relations Act, a collective bargaining agreement covering general municipal employees must be for a term of one year and may not be extended. This bill allows municipal employees to extend an agreement that is in effect on the date that this bill becomes effective. If the collective bargaining agreement was in effect on July 1, 2011, the extension is not a modification of the collective bargaining agreement for purposes of 2011 Wisconsin Acts 11 and 32, which apply to the employee when such a collective bargaining agreement is modified.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

**Barman, Mike**

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**From:** Egerer, Matt  
**Sent:** Tuesday, February 28, 2012 11:32 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-3993/1 Topic: All municipal employers to extend a collective bargaining agreement without triggering changes under Acts 10 and 32

Please Jacket LRB 11-3993/1 for the ASSEMBLY.